

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the ____ day of ____, 2006:

Present

Vote

Walter C. Zaremba, Chairman
Kenneth L. Bowman, Vice Chairman
Sheila S. Noll
James S. Burgett
Thomas G. Shepperd, Jr.

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO AMEND THE YORK INFRASTRUCTURE EXTENSION AGREEMENT BETWEEN THE COUNTY OF YORK, THE ECONOMIC DEVELOPMENT AUTHORITY, AND VIRGINIA ELECTRIC AND POWER COMPANY FOR THE YORK RIVER COMMERCE PARK

WHEREAS, the County of York ("County"), the Economic Development Authority ("EDA"), and Virginia Electric and Power Company ("Dominion") entered into that certain agreement entitled "York Infrastructure Extension Agreement" dated December 15, 1997 (the "Agreement"), which agreement is recorded in the Clerk's Office, Circuit Court, York County, Virginia in Deed Book 994, page 282; and

WHEREAS, Dominion has determined that certain areas of the property need to be reserved for future use in connection with its Yorktown Power Station, and desires to redefine the property subject to the Agreement; and

WHEREAS, the County of York and the Economic Development Authority are agreeable to redefining the property subject to the Agreement, provided the formula for reimbursement for infrastructure costs set forth in the Agreement is adjusted accordingly as set out herein and subject to the following conditions:

1. Paragraph 4 of the Agreement shall be modified by defining the "Total Number of Developable Acres" as follows: Lot 1 (7.2 developable acres); Parcel 1 (2.2 developable acres); Parcel 3 (3.3 developable acres); Parcel 4 (3.2 developable acres); Parcel 5 (2.1 developable acres); Parcel 6 (9.8 developable acres); and Parcel 7 (10.4

developable acres); for a total of 38.2 developable acres. Such lots are depicted on a plat entitled "York River Commerce Park Conceptual Plan", prepared by LandMark Design Group, dated September 7, 2001 (the "Conceptual Plan"), a copy of which is on file with the EDA.

2. Dominion, the County, and the EDA agree that the total infrastructure costs of \$935,629 have been paid down to \$791,957.98 as a result of the sales of Lot 2 (\$103,958.77 paid down) and Lot 3 (\$39,712.25 paid down), York River Commerce Park, Phase 1, York County, Virginia.

3. In all other respects the Agreement as modified by this Amendment shall remain in full force and effect; and

WHEREAS, the Economic Development Authority approved the execution of this Amendment at its Regular Meeting on April 19, 2006;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this ____ day of _____, 2006, that the First Amendment to County of York Infrastructure Agreement for the York River Commerce Park as provided to the Board in a memorandum from the County Administrator dated April 20, 2006, and as having been approved as to form by the County Attorney, be, and it is hereby, approved for execution.